

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

William Laureano,

Plaintiff,

v.

Captain FNU Jones,

Defendant.

C/A No. 1:11-779-TMC

OPINION & ORDER

Plaintiff, an inmate proceeding *pro se*, has filed this action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., all pre-trial proceedings were referred to a Magistrate Judge. On November 2, 2011, Magistrate Judge Shiva V. Hodges issued a Report and Recommendation ("Report") recommending Defendant's Summary Judgment Motion (Dkt. # 26) be granted and Plaintiff's Motions for Preliminary Injunctions (Dkt. # 23 and 69) and for a Temporary Restraining Order (Dkt. # 55) be denied. (Dkt. # 88). The Magistrate Judge provided Plaintiff a notice advising him of his right to file objections to the Report. (Dkt. # 88 Attach. # 1). On November 17, 2011, Plaintiff filed objections to the Magistrate Judge's Report. (Dkt. # 95).

The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). The district court is obligated to conduct a *de novo* review of every portion of the Magistrate Judge's report to which objections have been filed. *Id.* The district court need not conduct a *de novo* review when a party makes only general and conclusory objections that do not

direct the court to a specific error in the Magistrate Judge's proposed findings and recommendations. *Orpiano v. Johnson*, 687 F.2d 44, 47-48 (4th Cir.1982). The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The court has carefully reviewed Plaintiff's objections and finds that his objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report, or merely restate his claims. Plaintiff asks the court to consider over fifty citations to cases and merely reiterates the arguments he made in response to Defendant's Summary Judgment Motion. The Magistrate Judge has already conducted an analysis of these arguments, and Plaintiff fails to specifically argue where the Magistrate Judge erred in that analysis. In the absence of specific objections, this Court need not explain its reasons for adopting the recommendation.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court finds Plaintiff's objections are without merit. Accordingly, the court adopts the Report and incorporates it herein. It is therefore **ORDERED** that Plaintiff's Motions for Preliminary Injunctions (Dkt. # 23 and 69) and for Temporary Restraining Order (Dkt. # 55) are **DENIED**; Defendant's Summary Judgment Motion (Dkt. # 26) is **GRANTED**; and this case is **DISMISSED** with prejudice

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

December 2, 2011
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.